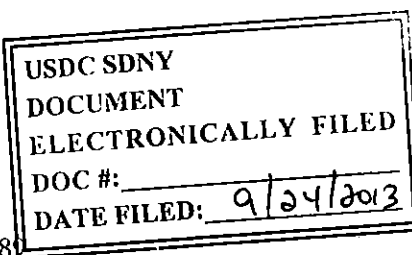


**MEMO ENDORSED**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
BRIDGET M. CURRAN, individually, and  
as natural Guardian of C.F.C., a minor.

Plaintiff,

-against-

AETNA LIFE INSURANCE COMPANY,  
TRINET GROUP, INC., and THE TRINET  
OPEN ACCESS MANAGED CHOICE PLAN,Defendants.  
-----X

Civ. Act. No.: 13-cv-00289

NOTICE OF MOTIONDOCUMENT  
ELECTRONICALLY FILED

PLEASE TAKE NOTICE that, upon the Declaration of Robert Gallion dated May 7, 2013 and Exhibits "A" thru "C" annexed thereto, the Declaration of Helen Hong dated May 7, 2013 and Exhibit "D" annexed thereto, the Declaration of Michael H. Bernstein dated August 26, 2013 and Exhibit "E" thru "G" annexed thereto, and the accompanying Memorandum of Law, Defendants by their attorneys, Sedgwick LLP, will move this Court, before the Hon. Nelson Stephen Roman, U.S.D.J. at the United States Courthouse, Southern District of New York, located at 300 Quarropas Street, White Plains, NY 10601-4150 at a date and time to be set by this Court, or at any adjourned date and time, for an Order (1) pursuant to FED. R. CIV. P. Rule 12(b)(6) dismissing Plaintiff's Complaint against Defendants; and (2) for such other and further relief as this Court may deem just and proper.

Dated: New York, New York

August 26, 2013

Defendants' Motion to Dismiss is  
DENIED without prejudice subject  
to re-filing at a later date. (See  
Minute Entry dated July 30, 2013).  
The Clerk of the Court is  
respectfully requested to terminate  
this motion (doc. 20).

Dated: Sept. 24, 2013  
White Plain, NYRespectfully submitted,  
s/

MICHAEL H. BERNSTEIN (MB-0579)

JOHN T. SEYBERT (JS-5014)

RYAN C. CHAPOTEAU (RC-1986)

SEDGWICK LLP

Attorneys for Defendants

225 Liberty Street, 28th Floor

New York, New York 10281

Telephone: (212) 422-0202

Facsimile: (212) 422-0925

**SO ORDERED:**

NY/1271748v1

 A handwritten signature of Hon. Nelson S. Roman, dated 9/24/13.
   
HON. NELSON S. ROMAN  
UNITED STATES DISTRICT JUDGE